

WASHINGTON COUNTY COMMISSION MEETING
MINUTES
FEBRUARY 2, 2010

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on February 2, 2010, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, County Administrator Dean Cox, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall.

The Spectrum was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of Auditor Approved Claims for Payment for January 20, 2010, through February 2, 2010
- Consideration of Approval of Regular Commission Meeting Minutes of January 5, 2010, and January 19, 2010
- Consideration of Administrative Adjustments / Real Property (attached)
- Consideration of Administrative Adjustments / Personal Property (attached)
- Consideration of HCP Recommendation to Use Other Species Funds to pay for Appraisal of Ken Anderson Land
- Consideration of Renewal of Standard Cooperative Agreement for Utah State University Extension Educational Work - 2010

**ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION
MEETING: 01-26-10 / NONE**

MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / LINDA SAPPINGTON

No presentations were made today.

PURCHASE REQUESTS / MARK BLANCH

Habitat Conservation Plan (HCP):

Fencing for Tortoise Protection	\$ 25,000.00
Annual Mojave Desert Tortoise Monitoring	80,000.00
2010 Evaluation of Southwest Willow Flycatcher Nesting	30,000.00

Commissioner Gardner said that these expenses were all recommended for approval at the recent Habitat Conservation Advisory Committee (HCAC) meeting and asked HCP Administrator Robert Sandberg to comment.

Mr. Sandberg said that these purchases are all contingent upon Commission approval of the Memorandum of Understanding (MOU) with the Utah Division of Wildlife Resources (UDWR). This is an ongoing effort to provide tortoise monitoring on an annual basis. The HCP pays a fee to the UDWR, and it supplements the amount for its annual monitoring. A report is issued every other year (in 2010 there will be a report). The expenditure for the willow flycatcher is for monitoring that species' nesting success in the county. Flycatchers prefer to nest in native vegetation, including the dense tamarisks. Two (2) nests out of eighteen (18) successfully fledged chicks this year.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Gardner to Adopt the Above Purchase Requests Subject to the Approval of Item #5 on this agenda, Resolution No. R-2010-1419. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PRESENTATION BY WASHINGTON COUNTY WATER CONSERVANCY DISTRICT / BARBARA HJELLE

Barbara Hjelle, General Counsel for the Washington County Water Conservancy District, narrated a very informative and detailed PowerPoint presentation on various water issues in and around Washington County. A copy of that PowerPoint is available upon request from the Office of the Washington County Commission. Some general points:

- About 80% of Washington County's water comes from ground water, namely the Virgin River
- Secondary water is water that is not potable and is used primarily for irrigation

- The water treatment plant is located at Quail Creek Reservoir
- The proposed Warner Valley and Anderson Junction Reservoirs will provide considerable augmentation of water management capabilities for the County
- The Crystal Creek Pipeline brings water into the Kolob Reservoir
- Gunlock Reservoir is the source of the Santa Clara Pipeline Project
- Surprisingly, as the population of Washington County increases, the per capita water-usage statistics decline
- A certain amount of water in Washington County is committed to species preservation
- The Lake Powell Pipeline will provide redundancy for the County water supply

CONSIDERATION OF RESOLUTION NO. R-2010-1418, A RESOLUTION AMENDING THE MAKEUP OF THE ADMINISTRATIVE CONTROL BOARD OF THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT

Commissioner Gardner commented that this resolution provides for two (2) members of the Board to be from the City of Hurricane, the most populous city in the Hurricane Valley Fire Special Service District.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1418, A Resolution Amending The Makeup Of The Administrative Control Board Of The Hurricane Valley Fire Special Service District. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1419, A RESOLUTION APPROVING THE EXECUTION OF THE 2010 COOPERATIVE AGREEMENT BETWEEN WASHINGTON COUNTY AND THE UTAH DIVISION OF WILDLIFE RESOURCES

Chairman Eardley said that this is the resolution that pertains to the Purchase Requests considered earlier in the agenda.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1419, A Resolution Approving The Execution Of The 2010 Cooperative Agreement Between Washington County And The Utah Division Of Wildlife Resources. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1420, A RESOLUTION APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING

AND AGREEMENT BETWEEN WASHINGTON COUNTY AND THE SHIVWITS BAND OF THE PAIUTE INDIAN TRIBE OF UTAH

Several facilities are scheduled to be constructed on the Shivwits Reservation, and this resolution will enable the Shivwits Band to employ the County's Building Inspectors to provide valuable inspection and advice during that endeavor.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1420, A Resolution Approving The Execution Of A Memorandum Of Understanding And Agreement Between Washington County And The Shivwits Band Of The Paiute Indian Tribe Of Utah. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1421, A RESOLUTION AMENDING WASHINGTON COUNTY'S GENERAL FEES FOR SERVICES FOR THE WASHINGTON COUNTY INFORMATION TECHNOLOGY (IT) DEPARTMENT

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1421, A Resolution Amending Washington County's General Fees For Services For The Washington County Information Technology (IT) Department. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1422, A RESOLUTION APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, ARIZONA STRIP DISTRICT OFFICE AND WASHINGTON COUNTY

This resolution permits the County to be a cooperating agency with the Bureau of Land Management (BLM) in connection with the proposed mining of uranium on the Arizona Strip. The Arizona Strip contains approximately forty percent (40%) of all uranium in the United States. It is roughly five (5) times more potent than any other source and is easily mined, with no significant adverse environmental impact. It costs about one hundred million dollars (\$100,000,000.00) to open and close a mine such as this. The biggest part of that income would come into Washington and Kane Counties, and the material would be milled in San Juan County. The entire state of Utah therefore stands to benefit greatly from this proposal.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1422, A Resolution Approving The Execution Of A Memorandum Of Understanding Between The United States Department Of The Interior, Bureau Of Land Management, Arizona Strip District Office And Washington County. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1423, A RESOLUTION APPROVING THE EXECUTION OF A DATA SHARING AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, AND COOPERATING AGENCIES, ONE OF WHICH IS WASHINGTON COUNTY, WHICH ARE IDENTIFIED AS "COOPERATING AGENCIES" IN SEPARATE EXECUTED MEMORANDUMS OF UNDERSTANDING WITH EACH PARTICIPANT

This resolution relates to the preceding agenda item and provides for a data-sharing arrangement among all participating agencies in an effort to avoid duplication of effort.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1423, A Resolution Approving The Execution Of A Data Sharing Agreement Between The United States Department Of The Interior, Bureau Of Land Management, And Cooperating Agencies, One Of Which Is Washington County, Which Are Identified As "Cooperating Agencies" In Separate Executed Memorandums Of Understanding With Each Participant. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF REVISION TO WASHINGTON COUNTY POLICY AND PROCEDURES MANUAL: FAMILY AND MEDICAL LEAVE

Washington County Administrator Dean Cox said that from time to time the County policies are updated to comply with Family and Medical Leave Act revisions. Paragraphs A and B, dealing with military leave for qualifying exigent service, have been revised.

Likewise, the Utah Counties Insurance Pool (UCIP) requires that the county demonstrate compliance with all requirements of the Americans with Disabilities Act and prohibits discrimination based on disability or perceived disability.

MOTION: Motion by Commissioner Drake to Adopt the Revisions to Washington County Policy and Procedures Manual: Family and Medical Leave Act and Americans with Disabilities Act. Motion

**seconded by Commissioner Gardner and carried by unanimous vote,
with Commissioners Eardley, Gardner, and Drake voting aye.**

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request an Executive Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:22 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN